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UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

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DENNIS CHADWICK MCGEE as )  
Personal Representative/ )  
Administrator of the Estate )  
of DILLON C. MCGEE, deceased, )

Plaintiff, )

vs. )

No.: 1:15-cv-01069

JURY DEMANDED

MADISON COUNTY, TENNESSEE; )  
JOHN MEHR, individually and )  
in his official capacity as )  
Sheriff of Madison County; )  
and THOMAS KNOLTON, )  
individually and in his )  
official capacity as a Deputy )  
Sheriff of the Madison County )  
Sheriff's Office, )

Defendants. )

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**THE VIDEOTAPE DEPOSITION OF MR. ROBERT ASPIRANTI**

November 14, 2016

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A P P E A R A N C E S

For the Plaintiff: MR. JEFFREY S. ROSENBLUM  
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For the Defendants MR. JON A. YORK  
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John Mehr: York  
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For the Defendant MR. MICHAEL R. HILL  
Thomas Knolton: MR. W. MICHAEL VARNELL  
Flippin, Collins & Hill  
1066 South Main Street  
Milan, Tennessee 38358

Videographer: Julie L. Coulston, CLVS

Also Present: Mr. Dennis Chadwick McGee  
Sergeant Thomas Knolton  
Deputy Jorge Borrás

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1 The videotape deposition of **MR. ROBERT**  
2 **ASPIRANTI** was taken at the instance of the Defendants,  
3 pursuant to subpoena, on the 14th day of November,  
4 2016, beginning at approximately 9:41 a.m. and ending  
5 at approximately 12:50 p.m., at the offices of the  
6 Henderson County Criminal Justice Complex, Lexington,  
7 Tennessee, for use pursuant to the Federal Rules of  
8 Civil Procedure before Jill A. Schaffer, Registered  
9 Professional Reporter, Licensed Court Reporter, and  
10 Notary Public for the State of Tennessee.

11 Counsel stipulated that all objections,  
12 except as to the form of the questions, were reserved  
13 to on or before the hearing and that all forms and  
14 formalities, including the reading and signing of the  
15 completed deposition by the witness, were expressly  
16 waived.

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1 he was firing?

2 A I couldn't remember that. I just remember looking  
3 up. The car was moving really fast, and he turned real  
4 hard. I remember him turning real hard and looking  
5 up --

6 Q When you --

7 A -- and seeing --

8 Q When you say "him," you mean Dillon?

9 A Yeah.

10 Q Okay.

11 A Dillon jerked (indicating) the -- turned it real  
12 hard to the right (indicating) and pulled out, and I  
13 remember seeing Knolton -- I don't know if he could  
14 have started on the left side or the right side and  
15 ended up there.

16 I couldn't tell -- I couldn't tell you whether  
17 he -- he was on this side (indicating) and then  
18 sideswiped -- stepped from this side (indicating) to  
19 that side (indicating) or started on that side  
20 (indicating) and went from there.

21 But I remember ducking my head (indicating) when I  
22 seen the gun. And I looked up because the -- the  
23 window had shattered, and I thought I was shot, but it  
24 was just a piece of glass that had hit real hard on my  
25 arm.

1           So I looked up then, and that's when I remember  
2       seeing him stepping like that --

3       Q     Okay.

4       A     -- and shooting (indicating).

5       Q     When you saw him stepping, do you know which side  
6       of the vehicle he was on --

7       A     I couldn't --

8       Q     -- what he was on?

9       A     (The witness shook his head.)

10      Q     Okay. Do you know whether he was on the passenger  
11     side or the driver's side?

12      A     With everything that was going on, I couldn't say  
13     for sure what side he was on.

14      Q     Do you ever -- was there any time where you ever  
15     remember whether he was on the driver's side or the  
16     passenger side?

17      A     (The witness shook his head.)

18           I couldn't say for sure.

19      Q     Okay. When -- when they pulled their guns, when  
20     the officers got out, what -- what were you thinking?

21      A     Someone was trying to kill us.

22      Q     Okay. Why did you think that?

23      A     They had guns pointed at us.

24      Q     Did you figure at any time that they were the  
25     police?

1 A I didn't know. With this day and time, there's  
2 crazy people out here that do all sorts of stuff, so...

3 Q Have you ever had a gun pulled on you before?

4 A Yeah.

5 Q Okay. When was that?

6 A A couple times before.

7 Q What were the circumstances?

8 A I had been robbed a couple of times.

9 Q More than once?

10 A Yeah.

11 Q Was money taken from you?

12 A Yes.

13 Q Okay. Did you make a police report of either one  
14 of those incidents?

15 A No, sir.

16 Q Why not?

17 A Because I had drugs on me at the time or I was  
18 doing something I wasn't supposed to do.

19 Q In -- let's -- let's get back to looking at your  
20 statement. You -- you -- you state that -- well, it  
21 says that "The officers pulled in front of us straight  
22 on." And I'm -- I'm not trying -- it's been a while if  
23 I asked you about that, so I don't remember whether you  
24 answered or not.

25 It says "The officer pulled in front of us

1 straight on." Is that accurate?

2 A They come straight around like that (indicating).  
3 Our cars wasn't really bumper to bumper (indicating) to  
4 a sense.

5 Q Okay. It says "His car was slightly offset to our  
6 driver's side bumper on the right." Is that accurate  
7 as to -- as to what you told them?

8 A It -- it's sort of like this drawing (indicating).

9 Q That's where you think the vehicle was?

10 A That's where I think --

11 Q Okay.

12 A -- the vehicle was.

13 Q In -- in this statement it says "The officers'  
14 vehicle was approximately a car and a half length away  
15 from us." Did you tell the TBI that?

16 A Yeah. It was about that. It was about maybe 15,  
17 20 yards, maybe like about 15 yards.

18 Q They stopped 15 to 20 yards from your vehicle?

19 A Probably -- maybe 10 yards (indicating).

20 Q Did --

21 A 20 yards is a little much.

22 Q Well, did -- did you tell them it was a car and a  
23 half length away from you?

24 A I told them it was about that.

25 Q Okay.

1 angle, you said, a car length, car and a half length  
2 away, is that the silver Impala that the two men got  
3 out with the guns?

4 A Yes, sir.

5 Q Is the man on this side that got out of the  
6 driver's side (indicating), is that the white officer  
7 that you now know to be Knolton?

8 A That's what I thought, but I couldn't say for  
9 sure.

10 Q Okay. But you know the white guy got out of the  
11 driver's side of the car.

12 A That's what I thought, but I couldn't say for  
13 sure.

14 Q And you know that there was an African-American  
15 cop that got out of the passenger side.

16 A Yes, sir.

17 Q And is it your testimony that the African-American  
18 deputy came over to the driver's side or in front on  
19 the driver's side of the Versa that you guys were in?

20 A It could have been, yes.

21 Q And that the -- Knolton stayed there and shot  
22 first into the windshield, and that's when you ducked  
23 down.

24 A Yes, sir. I don't -- I don't believe that the  
25 African-American shot at all.



1 Q Okay. And I'll -- and I'll tell you that I don't  
2 think there's anything in the report that the  
3 African-American shot.

4 A Okay.

5 Q There have been witnesses that have said that  
6 there were two sets of shots, pop-pop, and then a gap,  
7 and then that's when the officer was sidestepping,  
8 shooting into Dillon's driver's side window. Is that  
9 consistent with your recollection?

10 A Yes, sir.

11 Q And was that gap a -- a second or two or three?  
12 Can you tell us how long that gap was in between?

13 A Yeah. It couldn't be more than a couple seconds.

14 Q Okay. And the first set of shots that were fired,  
15 is that when you felt the glass hit your arm?

16 A Yes, sir.

17 Q And was it then that you -- you bent down?

18 A I was already ducking. And then when the shots  
19 came through, I ducked lower.

20 Q And then when you peeped up, is that when the  
21 second set of shots --

22 A Yes, sir.

23 Q -- came through?

24 And is that Knolton sidestepping as he shot into  
25 the car?

1 A Yes, sir.

2 Q Did Dillon ever say anything or do anything that  
3 led you to believe that he was trying to run over  
4 anybody?

5 A No, sir.

6 MR. ROSENBLUM: No further questions.

7 Oh, I'm sorry. I do have just slightly  
8 more.

9 Q (By Mr. Rosenblum) At the end of the encounter  
10 when Dillon was able to -- he was able to pull out --  
11 make that hard right and pull out of the -- the -- the  
12 parking lot; true?

13 A Yes, sir.

14 Q And as he went across the street and up into the  
15 grass and the car came to a stop, did you hear the two  
16 officers, the black officer and the white officer,  
17 talking about a gun? Did -- did an officer say  
18 anything?

19 A They said they thought they saw a gun.

20 Q Did one officer kind of get on to one You said you  
21 saw a gun; you said you saw a gun?

22 A Yes, sir.

23 Q Which officer was that?

24 A The African-American.

25 Q And who was he talking to?